

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application No.	10/080,473
		Filing Date	February 22, 2002
		First Named Inventor	Nikos Kaburlasos
		Art Unit	2863
		Examiner Name	Le, Toan M.
Total Number of Pages in This Submission	12	Attorney Docket Number	42390P13497

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> PTO/SB/08		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Basic Filing Fee		
<input checked="" type="checkbox"/> Declaration/POA		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		Petition for Reconsideration under 37 C.F.R. 1.47 with re-signed declaration

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric T. King, Reg. No. 44,188 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	November 16, 2004

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name	Nicole Erquiaga		
Signature		Date	November 16, 2004

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/ 06/04/2004).
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)

Complete if Known

Application Number	10/080,473
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First Named Inventor	Nikos Kaburlasos
Examiner Name	Le, Toan M.
Art Unit	2863
Attorney Docket No.	42390P13497

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1001	790	2001	395	Utility filing fee
1002	350	2002	175	Design filing fee
1003	550	2003	275	Plant filing fee
1004	790	2004	395	Reissue filing fee
1005	160	2005	80	Provisional filing fee
SUBTOTAL (1)		(\$)		

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		20**	=	
		3	=	

Multiple Dependent

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple Dependent claim, if not paid
1204	88	2204	44	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)		

**or number previously paid, if greater. For Reissues, see below

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920 * Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840 * Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	430	2252 215 Extension for reply within second month	
1253	980	2253 490 Extension for reply within third month	
1254	1,530	2254 765 Extension for reply within fourth month	
1255	2,080	2255 1,040 Extension for reply within fifth month	
1404	340	2401 170 Notice of Appeal	
1402	340	2402 170 Filing a brief in support of an appeal	
1403	300	2403 150 Request for oral hearing	
1451	1,510	2451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,370	2453 685 Petition to revive - unintentional	
1501	1,370	2501 685 Utility issue fee (or reissue)	
1502	490	2502 245 Design issue fee	
1503	660	2503 330 Plant issue fee	
1460	130	2460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	790	1809 395 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810 395 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801 395 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify)			

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

Complete if applicable

Name (Print/Type)	Eric T. King	Registration No. (Attorney/Agent)	44,188	Telephone	(714) 557-3800
Signature				Date	11/16/04



JW DAE

Docket No.: 042390.P13497

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nikos Kaburlasos

Application No.: 10/080,473

Filed: February 22, 2002

For: **INTEGRATED ADJUSTABLE
SHORT-HAUL/LONG-HAUL
TIME DOMAIN
REFLECTORMETRY**

Examiner: Toan M. Le

Art Group: 2661

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. § 1.47(a)

Assistant Commissioner for Patents
Washington, DC 20231-9998

Madam:

- 1) Responsive to the Dismissal of Applicant's petition, Applicant herein addresses and, respectively submits, overcomes, the deficiencies noted in the dismissal. Applicant respectfully requests reconsideration of the petition under 37 C.F.R. §1.47(a).
- 2) As to the first deficiency [item (1)] noted in the dismissal of the petition, requiring proof that the non-signing inventor cannot be reached or refuses to sign the oath and declaration *having been presented with the application papers (specification, claims, and drawings)*, Applicant herein submits, as Exhibit A, a Declaration in Support of Petition Under 37 C.F.R. § 1.47(a). This declaration particularly addresses the deficiency noted.
- 3) As to the second deficiency [item (2)] noted in the dismissal of the petition, it is noted that Applicant's failed to submit an oath or declaration for the patent application in compliance with 37 C.F.R. § 1.63 and 1.64 in that the declaration did not identify the country of citizenship of inventor Nikhade. Applicant herein remedies this deficiency. Attached as Exhibit

B is a Declaration in compliance with 37 C.F.R. § 1.63 and 1.64 which identifies the citizenship of each inventor (including inventor Nikhade), and which is signed by the signing inventors on behalf of the non-signing inventor Mrs. Nikhade.

4) Applicant hereby respectfully requests reconsideration of the petition under 37 C.F.R. § 1.47(a) in view of Applicant's attempt to remedy the noted deficiencies, and respectfully requests that the petition be granted.

5) Authorization is hereby given to charge our deposit account number 02-2666 for any additional charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



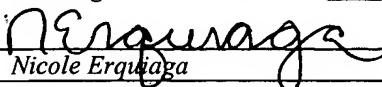
ERIC T. KING
Reg. No. 44,188

Dated: November 16, 2004

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(714) 557-3800

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on: November 16, 2004.


Nicole Erguiza

11/16/2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nikos Kaburlasos, et al. Application No.: 10/080,473 Filed: February 22, 2002 For: INTEGRATED ADJUSTABLE SHORT-HAUL/LONG-HAUL TIME DOMAIN REFLECTOMETRY	 Examiner: Toan M. Le Art Group: 2661
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DECLARATION IN SUPPORT OF REQUEST FOR RECONSIDERATION OF PETITION UNDER
37 C.F.R. § 1.47(a)

Assistant Commissioner for Patents
 Washington, DC 20231-9998

Madam:

I, Eric T. King, declare that:

- 1) I am the attorney for the Applicants and Assignee of the above-identified patent application.
- 2) Vaishali Nikhade's last known addressis : 997 Glennfinnan Way, Folsom, California 95630.
- 3) I made two attempts, with the aid of my assistant, Susan McFarlane, to send a package to Vaishali Nikhade to her last known address. The package included formal documents including the declaration and the assignment as well as a copy of the patent application papers including the specification, claims, and drawings.
- 4) No contact from Vaishali Nikhade was ever received responsive to these mailings.
- 5) I declare, to the best of my knowledge, that all statements made in this document are true, and that all statements made on information are believed to be true; and further, that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under § 1001 of title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: November 16, 2004

ERIC T. KING

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(714) 557-3800

CERTIFICATE OF MAILING

*I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on: November 16, 2004.*

Nicole Erquiga 11/16/2004
Nicole Erquiga Date



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (37 CFR 1.63)		Attorney Docket Number 42390P13497
		First Named Inventor Nikos Kaburlasos
COMPLETE IF KNOWN		
		Application Number 10/080,473
		Filing Date February 22, 2002
		Art Unit 2863
		Examiner Name Le, Toan M.

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below, next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTEGRATED ADJUSTABLE SHORT-HAUL/LONG-HAUL TIME DOMAIN REFLECTOMETRY

(Title of the Invention)

the specification of which

is attached hereto.

OR

was filed on (if applicable):

or 02/22/2002 as United States Application Number 10/080,473

or _____ as PCT International Application Number _____

and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above.

I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that the claimed invention was in public use or on sale in the United States of America more than one year prior to this application, nor do I know or believe that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Appointment of Practitioners:

I hereby appoint the practitioners associated with Customer Number: 45209 as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

If this patent application is assigned, then the undersigned hereby authorizes the patent attorneys and patent agents named herein to accept and follow instructions from the assignee(s) as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the patent attorneys and patent agents and the undersigned. In the event of a change in the persons from whom instructions may be taken, at least one patent attorney or patent agent named herein will be so notified by the undersigned.

Correspondence:

Direct all correspondence to Customer Number 08791,

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this undersigned inventor

Full Name:

Nikos Kaburlasos

(First, Middle [if any], Family Name (or Surname), and Suffix [if any])

Inventor's Signature

Date

11/15/9004

Residence

Sacramento, California USA

Citizenship

USA

(Country)

Mailing Address

2323 I Street, #14

Sacramento, California 95816 USA

Docket No. 42390P13497

-2-

NAME OF SECOND INVENTOR: A petition has been filed for this undersigned inventor

Full Name: James Little
(First, Middle [if any], Family Name (or Surname), and Suffix [if any])

Inventor's Signature James Little Date 11/15/2004

Residence Sacramento, California USA Citizenship USA
(City, State, Country) (Country)

Mailing Address 223 39th Street
Sacramento, California 95816 USA

NAME OF THIRD INVENTOR: A petition has been filed for this undersigned inventor

Full Name: Valshali Nikhade
(First, Middle [if any], Family Name (or Surname), and Suffix [if any])

Inventor's Signature _____ Date _____

Residence Folsom, California USA Citizenship India
(City, State, Country) (Country)

Mailing Address 997 Glenn Finnian Way
Folsom, California 95630 USA

NAME OF FOURTH INVENTOR: A petition has been filed for this undersigned inventor

Full Name: _____
(First, Middle [if any], Family Name (or Surname), and Suffix [if any])

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State, Country) (Country)

Mailing Address _____

NAME OF FIFTH INVENTOR: A petition has been filed for this undersigned inventor

Full Name: _____
(First, Middle [if any], Family Name (or Surname), and Suffix [if any])

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State, Country) (Country)

Mailing Address _____
